United Nations S/2012/281

Security Council

Distr.: General
1 May 2012

Original: English

Letter dated 1 May 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to submit the concept paper for the Security Council briefing on the theme "Strengthening international cooperation in the implementation of counter-terrorism obligations", which is to be held on 4 May 2012 (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Agshin **Mehdiyev**
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Annex to the letter dated 1 May 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Concept paper on "Threats to international peace and security caused by terrorist acts: strengthening international cooperation in the implementation of counter-terrorism obligations"

Introduction

Widespread and indiscriminate by nature, terrorism continues to pose a serious threat to international peace and security, the enjoyment of human rights, fundamental freedoms and democracy, territorial integrity and security and the social and economic development of all Member States. Azerbaijan strongly condemns terrorism in all its forms and manifestations, and considers that all terrorist acts are criminal and unjustifiable, regardless of their motivation.

As an active contributor to international counter-terrorism efforts, Azerbaijan gives utmost importance to the implementation of its counter-terrorism obligations at both the global and regional levels. The scourge of terrorism and its increasing connection with other threats to international peace and security require more comprehensive and coordinated actions at the national, regional and international levels. The success of international cooperation depends to a significant extent on the ability of all Member States to fully implement their respective counter-terrorism obligations.

In its capacity as the President of the Security Council in May 2012, Azerbaijan will hold a high-level thematic meeting of the Security Council on counter-terrorism, with a particular focus on strengthening international cooperation in the implementation of counter-terrorism obligations. The meeting is scheduled to be held on 4 May 2012, in a "briefing" format.

Background

The need to combat terrorism by all means has been recognized through the adoption of relevant resolutions by the Security Council, the General Assembly and other United Nations bodies and through the elaboration of universal legal instruments that seek to prevent terrorist acts. Those documents emphasize the need for enhanced cooperation among States at all levels to combat terrorism in all its forms and manifestations. They also highlight the fact that there is recourse to legal frameworks by Member States in their efforts to counter terrorism. However, it is not enough to stress the full implementation of legal obligations and to call on Member States to become parties to all relevant international instruments. The requirements are, on the one hand, for Member States to incorporate these instruments into their domestic legislation and to implement them effectively and, on the other hand, for the United Nations and the broader international community to render necessary assistance and support in this regard.

The very fact that the United Nations Global Counter-Terrorism Strategy was adopted by universal consensus in 2006 shows that its implementation should be universal in nature. Although the United Nations system continues to play an important role in providing capacity-building and technical assistance to Member

States, the timely and decisive response of Member States in the implementation of the Global Strategy remains disparate.

As in previous years, the Secretary-General's third report on the implementation of the United Nations Global Counter-Terrorism Strategy, due in April 2012, will affirm the central role of the Strategy in providing strategic direction, guidance and standards for efforts through the United Nations system, primarily by Member States, to counter terrorism. It is expected that the report will also contain suggestions for the effective implementation of the Strategy across its four pillars to be subsequently considered within the context of the forthcoming third review report on the Global Strategy.

Objectives

As the nature and character of terrorism changes, ranging from actions by single individuals to actions associated with well-known groups, including those sponsored by States in contravention of their obligations under the Charter of the United Nations and international law, as well as the involvement of such groups in other illegal activities, the need to strengthen international cooperation remains strong. It is hoped that the high-level meeting will discuss further steps to strengthen international cooperation with a view to implementing the existing counter-terrorism obligations in a timely and united manner, in particular through increasing capacity-building and technical assistance to States, as well as through enhancing coordination and coherence within the United Nations.

The United Nations Global Counter-Terrorism Strategy calls for enhanced international cooperation, mainly through the normative framework established by the General Assembly and the actions of the Security Council to maintain international peace and security. These actions have framed a coordinated international response to terrorism. The creation of mechanisms and subsidiary bodies, such as the Counter-Terrorism Implementation Task Force, the 1373 (2001) Committee and its executive directorate, the 1267 (1999) and the 1540 (2004) Committees and their expert groups, has helped States in undertaking measures to counter terrorism and has promoted international cooperation in the prevention and suppression of terrorism.

It remains important that States continue to coordinate and cooperate in this regard, and to strengthen interaction both among themselves and between the United Nations and other organizations. Further attention could be given to the need to focus on the development of national and regional strategies and implementation plans, highlighting, in particular, the role of regional organizations in counter-terrorism cooperation activities. The establishment and implementation of regional strategies, with the support of regional organizations, would advance the strengthening of a coherent and consolidated international response to countering terrorism.

The ability to listen to lessons learned from the experiences of Member States would further strengthen this coordinated and holistic approach and would underscore the importance of establishing a culture of dialogue and understanding among all parties in order to prevent terrorism. The establishment of various mechanisms for assessing, compiling and disseminating best practices in areas where the necessary conventions, standards and norms and resource materials exist

would also further the building of a more coherent and universal approach suited to the needs of Member States.

Such cooperation is also essential from the viewpoint of enhancing the individual capabilities of Member States to implement their counter-terrorism obligations. Increasing capacities and providing assistance to efforts to prevent and combat terrorism, with a view to developing and maintaining effective rule-of-law-based national criminal systems, with provisions for judicial criminal cooperation and mutual legal assistance, is a core element of global counter-terrorism efforts. Such measures are instrumental in terms of enhancing the ability of Member States to work on counter-terrorism measures at the national, regional and international levels and ensuring that those active in the field of counter-terrorism receive adequate training and technical assistance to further their work.

In the absence of a systematic and coordinated approach, efforts to eradicate terrorism will continue to be fragmented and disparate. Entities and organizations working on counter-terrorism will continue to do so at their own pace, implementing their own mandates, and often duplicating efforts. Further consolidation of the United Nations counter-terrorism efforts is another important aspect of promoting international cooperation to enhance collective and individual capabilities to prevent and combat terrorism. The need for one body to manage all these efforts was made clear by the Secretary-General when he established the Counter-Terrorism Implementation Task Force in 2005, and it was further reinforced through the Symposium on International Counter-Terrorism Cooperation, held at the United Nations in September 2011, which called for the full and timely integration of the Strategy.

The recent establishment within the Counter-Terrorism Implementation Task Force of the United Nations Counter-Terrorism Centre is important in terms of further strengthening the ability of the United Nations to enhance its assistance to Member States. At the same time, the appointment of a United Nations counter-terrorism coordinator will bring further coherence and focused effort to the implementation of the United Nations Strategy.

Outcome

It is the intention of Azerbaijan to have a presidential statement approved by the Security Council at the end of the high-level meeting which will recognize the efforts of Member States, as well as the activities of the United Nations system, in the implementation of counter-terrorism obligations and which will stress the importance of further strengthening international cooperation, including through the establishment of a more coordinated, coherent and systematic United Nations approach.